

# **EXHIBIT 3**

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July 20, 2018

Sean P. Carter, Esquire  
Scott Tarbutton, Esquire  
Cozen O'Connor, P.C.  
1650 Market Place  
Philadelphia, PA 19103-7301

Re: *In re Terrorist Attacks*, No. 03-MDL-1570

Dear Counsel:

I write on behalf of the Defendants Dr. Abdullah Al-Turki, Dr. Abdullah Al-Obaid, Dr. Abdullah Naseef, and Dr. Adnan Basha, in response to the deposition notices and cover letter that you sent on July 9, 2018. First, we can confirm that Dr. Al-Turki, Dr. Al-Obaid, and Dr. Basha are all available for a deposition during the period of September 10 to 18, 2018. However, only Dr. Al-Obaid is physically able to travel to London (or elsewhere in Europe) for his deposition, as the other two defendants both have serious health issues (and Dr. Basha has is the sole caregiver for his extremely aged mother, who also has serious health issues), as set forth in their Declarations that we filed earlier today. Dr. Al-Turki's physician has recently advised him that travel to Europe for deposition is not medically indicated. Dr. Basha, in addition, was not granted a visa when he last sought one to the United States and is doubtful he could obtain a UK or Schengen visa, and for health and family reasons cannot travel to Europe.

Therefore, their depositions would have to take place by videoconference, as expressly contemplated by Sections 31 and 32 of the Deposition Protocol Order (ECF No. 3894) (Jan. 31, 2018). Given that Dr. Al-Obaid is in Riyadh (as is Dr. Al-Turki), while Dr. Basha is in Jeddah, and in order to minimize cost and travel for counsel, we propose that all three depositions take place by videoconference, so that defense counsel would not have to travel from London to Saudi Arabia (which is a 6.5 to 7 hour flight, not counting time traveling to/from the airports) in the middle of that deposition period. This will also result in significant economies for plaintiffs' counsel, who can easily take the depositions from their home offices, without having to incur the considerable travel expenses of travel to London.

Sean P. Carter, Esquire  
Scott Tarbutton, Esquire  
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In sum, we are fully prepared to move forward with these depositions, but logistically, these depositions should take place in one country in one time frame rather than having one witness and numerous lawyers moving to London from the U.S. and Saudi Arabia for a single deposition. We can work with you to identify suitable locations in Jeddah and Riyadh for the depositions to take place, *i.e.*, with videoconference facilities and translators. All three deponents are native Arabic speakers and, while Dr. Al-Obaid and Dr. Basha speak some English, neither is comfortable being deposed in English (Dr. Al-Turki does not speak English).

Finally, with respect to Dr. Naseef, he continues to be unable to participate in a deposition this year, due to his severe and multiple health issues. We have been in touch with his son and are obtaining more current and detailed information. We anticipate filing a response with the Court later this month that will provide more detail, but it is obvious to us that his physical and mental health would not allow him to sit for a deposition at this time.

Sincerely,

*/s/ Alan*

Alan R. Kabat

cc: MDL 1570 counsel